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Via Electronic Filing

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

Re: Dominion Energy South Carolina, Incorporated's Establishment of a Solar Choice
Metering Tariff Pursuant to S.C. Code Ann. Section 58-40-20

Docket Number 2020-229-E

Dear Ms. Boyd:

On behalf of South Carolina Coastal Conservation League, Southern Alliance for Clean Energy, Upstate Forever, Solar Energy Industries Association, North Carolina Sustainable Energy Association, Alder Energy Systems, and Vote Solar, thank you for this opportunity to respond to Dominion Energy South Carolina, Incorporated's ("DESC") attempt to limit public participation at the upcoming public hearing on its proposed Solar Choice tariff. Given the likelihood that DESC's proposed Solar Choice tariff would upend the market for rooftop solar in its territory by dramatically curtailing bill savings with little prospect of corresponding benefits to non-solar customers, it is not surprising that many people have signed up to express their concerns with the utility's proposal. We respectfully urge the Commission to not allow DESC to unilaterally limit public comment based on an overly restrictive view of which members of the public have an interest in this proceeding.

First, it is important to remember that the governing statute contains no limitation that only current customers of the utility can be heard. S.C. Code Ann. § 58-40-20(F)(1). Instead, the General Assembly required "notice and opportunity for public comment and public hearing" before the Commission establishes a "solar choice metering tariff." We would agree that whether a member of the public is a customer of DESC is relevant information for the Commission to consider. But there is nothing in the statute that limits the public hearing only to current customers of DESC.

Second, it is important to consider that a person can be a customer of DESC's electrical utility even if that person's name is not on the account. In the case of a married couple, it is not uncommon for only one person's name to be on an account. In that instance, the husband or wife whose name is not listed on the account (and who may have a different last name than his or her spouse) is no less a customer of DESC, equally affected by its rates and service. Likewise, when individuals rent a home or apartment together, typically only one tenant is named on the electrical utility account, even though the roommates may share the cost of utility services each month. Those roommates are still customers of DESC who may have an interest in pursuing

rooftop solar in the future. In short, just because DESC has not identified a customer's name in its billing system, there should not be a presumption that the individual is not a DESC customer.

Third, given the nature of monopoly utility service, an individual who may not be a customer at this time may nevertheless have a reasonable expectation of being a DESC customer in the future and thus have an interest in whether the utility plans to impose a dramatic increase in the fees and charges imposed on customers who would like to lease or purchase rooftop solar. Such a customer will not have any choice in which electrical utility will serve them if they move to DESC's service territory in the future. For example, a person could grow up in the Charleston region as a DESC customer, attend college or graduate school in the Greenville-Spartanburg area, and plan to eventually return to DESC later in life. Or perhaps a person from the DESC territory could accept a job outside of DESC's territory for a period of time but always plan on returning to look after an aging parent or retire near family. While it is true that in these examples the individuals are not current DESC customers, they may nevertheless have a real interest in the continued viability of rooftop solar in DESC's territory and should be allowed to speak.

Finally, though we recognize that the notice for the public hearing was addressed to "customers of [DESC]," DESC is wrong to suggest that it is inappropriate for individuals with ties with the solar industry or other organizations to testify at the public hearing. *See* DESC Ltr. dated Mar. 10, 2021, at 2-3. Such individuals may be present customers or future customers with a personal interest in the availability of rooftop solar in DESC territory or may be part of an organization that has members who are DESC customers. More generally, DESC's continued attempt to discount input from individuals affiliated with the solar industry is inconsistent with Act 62. As the Energy Freedom Act makes plain, the General Assembly directed the Commission to consider the economic impact of net metering programs on the state and to consider the continued viability of the solar industry. *See* S.C. Code. Ann. § 58-40-20(A)(1)-(2), (D)(4). Only one solar company—Alder Energy, a commercial solar installer—intervened in this docket. It is not reasonable to expect individual workers who are affiliated with other companies and who may be concerned about DESC's proposed Solar Choice tariff to hire outside counsel and intervene in order for their voices to be heard. DESC is the only party in this docket that can appear with assistance of counsel and ultimately recover its costs for doing so from customers in its rates. Individual solar workers whose livelihoods could be substantially affected by DESC's Solar Choice tariff have a real interest in this docket and there should not be a requirement that individuals retain counsel and formally intervene in the docket in order to express those concerns.

In conclusion, we respectfully urge the Commission to reject DESC's motion to artificially limit public participation at the public hearing on its proposed Solar Choice tariff. DESC's overly technical definition of "customer" is a transparent attempt to limit public participation. DESC's Solar Choice tariff has sparked concern throughout its territory and beyond, and those South Carolinians who wish to provide their input should not be arbitrarily excluded from the upcoming hearing.

Sincerely,

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